

CLASSIFICATION OFFICE DECISION

Title of publication: list03

Other known title(s): Not stated

OFLC ref: 1700384.005

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 07 August 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 04 August 2017

Summary of reasons for decision:

The computer image file is a sexually explicit cartoon image of two characters from a well-known animated television series. The image does not meet the high threshold of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 in terms of tending to promote or support the exploitation of children or young persons, due to ambiguity over the younger character's age. It is however sexually explicit, and therefore classified R18 because it is likely to harm the attitudes and behaviour of children and teenagers who are impressionable and still forming their sexual identities and understanding of sexual behaviour. The classification interferes with the freedom of expression affirmed under the New Zealand Bill of Rights Act 1990 but is a reasonable restriction in order to prevent likely injury to the public good.